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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/034,442	12/26/2001	Nemmara Chithambaram	G&C 30566.205-US-01	1504

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EXAMINER

HIRL, JOSEPH P

ART UNIT	PAPER NUMBER
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2121

DATE MAILED: 01/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action	Application No. 10/034,442	Applicant(s) CHITHAMBARAM, NEMMARA	
	Examiner Joseph P. Hirl	Art Unit 2121	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 29 December 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

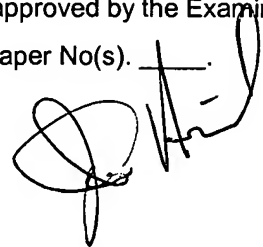
Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: _____.

Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____
10. ☐ Other: _____



Continuation of 5. does NOT place the application in condition for allowance because: the arguments have been fully considered but are not persuasive.

1. Concerning the objection of claims 44, 46, and 48 under 37 CFR 1.75, the claims and only the claims establish the metes and bounds of the invention. Limitations appearing in the specification but not recited in the claim are not read into the claim. The subject claims do not refer to "bookmarking a location". The examiner is obligated to interpret the claims in the broadest reasonable manner. Hence, the visit to a location can be a favorite location.
2. Related to claim 1, (a) and (c) (i), the prior office actions cite the specific sections of LeBlanc et al that pertain. Triangulation satisfies determining approximate location. Again from the perspective of a broad interpretation, determining an approximate location of a device, embodies capturing an imprecise input based on a proximity to a particular user identified location which involves triangularization and fuzzy logic as anticipated by LeBlanc et al. LeBlanc et al teaches fuzzy logic @ c 6 line 14 through c 7, line 30.
3. Applicant is allowed to express limitations in the alternative (Markush groups or variations thereof) (MPEP 2173.05(h)). However, when such groupings occur, such claim is anticipated if only one of them is in the prior art.
4. Radio waves are expressed in cycles per second (hertz -temporal or time dependent) and are used by LeBlanc as the imprecise input @ c3, lines 37-40.
5. Applicant is strongly encouraged to review paragraphs 11., 12. and 13. of the Final Office Action dated November 3, 2004. For sure, the Examiner has the obligation to interpret the claims in the broadest reasonable manner. What maybe specific to the applicant can be interpreted to be quite broad in scope by the Examiner.